

Notice of Allowability

Application No.

09/781,686

Examiner

Jeffrey A. Shapiro

Applicant(s)

PESHKIN ET AL.

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/15/04.
2. ☒ The allowed claim(s) is/are 1-31,33-41.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Emily T. Bell on 6/11/04.

The application has been amended as follows:

IN THE CLAIMS:

In Claim 1:

In line 1, after "an" and before "assist", the word --intelligent--has been inserted.

In line 2, before "comprising", the phrase --the multi-function hub-- has been inserted.

In line 7, after "interface" and before "disposed", the phrase --for interfacing with an information network and--has been inserted.

In line 8, after the word "node", the phrase "and a plurality of other" has been deleted.

In line 8, after the word "node", the phrase --on the physical interface and at least one computational node disposed on at least one other module within the intelligent assist system--has been inserted.

In line 9, the first two words "computational nodes", and the last three words "plurality of other" has been deleted.

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In line 9, after the word "the", second occurrence, the phrase --computational node disposed on the other module-- has been inserted.

In line 10, the first two words, "computational nodes" has been deleted.

In line 11, after "the" and before "via", the phrase "plurality of other computational nodes" has been deleted.

In line 11, after "the", the phrase --computational node on the other module--has been inserted.

PLEASE ENTER THE FOLLOWING NEW CLAIMS:

Claim 40. The hub of claim 1, wherein the at least one other module comprises a trolley.

Claim 41. The hub of claim 1, wherein the at least one other module comprises a lift.

REASONS FOR ALLOWANCE

2. These comments are made in addition to the remarks in Applicant's specification and arguments, concerning the manner in which the invention distinguishes from the art discussed therein.

The Examiner notes that the prior art does not disclose or suggest the claimed combination including particularly an intelligent assist system having a multi-function hub, which has a communication interface for interfacing with an information network as well as providing digital communication between the hub and other modules within the intelligent assist system. This is embodied in Independent Claim 1.

See specification, p. 3, lines 16-22 and p. 4, lines 1-6, p.6, lines 1-17 and p. 7, lines 6-12. The prior art lacks this structure or anything equivalent to it.

The foregoing is an Examiner's Statement of Reasons for Allowance.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

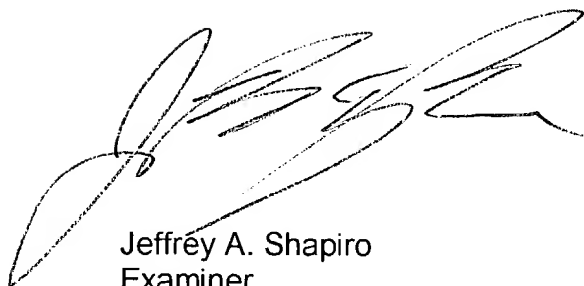
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Examiner
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June 12, 2004



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